

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Roads and Buildings – Disciplinary proceedings initiated against Sri K.V.Subba Reddy, Executive Engineer (R&B) (Retd.) – Punishment imposed – Set aside the punishment – Implementation of the orders of Andhra Pradesh Administrative Tribunal dated 01.09.2005 in O.A.No.5416/2001 – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (VIG.I.1) DEPARTMENT

G.O.Ms.No. 221

Dated:30th September, 2009
Read the following:

1. G.O.Ms.No.41, T, R & B (S.I.3) Deptt., Dated 24.02.2000.
2. Orders of Andhra Pradesh Administrative Tribunal dated 01.09.2005 in O.A.No.5416/2001.
3. Orders of High Court of Andhra Pradesh dated 20.08.2007 in W.P.No.17576/2007.
4. Orders of Supreme Court of India, dated 22.09.2008 in S.L.P.No.12674/2008.

ORDER:

In the G.O. 1st read above a punishment of 10% cut in the pension was inflicted against Sri K.V.Subba Reddy, Executive Engineer (R&B) (Retd.) for the irregularities in purchase of cement and steel in violation of codal rules and non-maintenance of records and certain other irregularities.

2. Aggrieved by the punishment, Sri K.V.Subba Reddy, Executive Engineer (R&B) (Retd.) has approached the Hon'ble Tribunal in O.A.No.5416/2001. The Hon'ble Andhra Pradesh Administrative Tribunal in its orders 2nd read above has set aside the G.O.Ms. No.41 dt. 24.2.2000 in toto and directed to release, forthwith, all the pensionary benefits in favour of the applicant, without any cut, or deduction, whatsoever and without giving any future occasion, or opportunity, to the applicant, to complain in respect thereof, to the Tribunal, once again. It was further observed that the E.O. found that none of the ten charges, against the applicant are proved. The P.W.D. Code, or Article 15 thereof, will not ipso facto, warrant imposition of punishment, that too, major punishment, in the absence, and without any basis of material in respect of not one, but ten charges.

3. Government have filed WP.No.17576/2007 in Hon'ble High Court of Andhra Pradesh against the orders of Andhra Pradesh Administrative Tribunal. The Hon'ble High Court of Andhra Pradesh in its orders 3rd read above dismissed the WP as it lacks merit.

4. Government have preferred SLP before Supreme Court of India against the orders of High Court of Andhra Pradesh. The Supreme Court of India in its orders 4th read above dismissed the special leave petition as no ground is made out for interference under Article 136 of the Constitution of India.

5. Government after careful consideration of the matter have decided to implement the orders of the Hon'ble Andhra Pradesh Administrative Tribunal dated 01.09.2005 in O.A.No.5416/2001 filed by Sri K.V.Subba Reddy, Executive Engineer (R&B) (Retd.).

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6. Accordingly Government hereby set aside the orders issued in G.O.1st read above.

7. The I/c Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.T.CHATTERJEE,
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri K.V.Subba Reddy, Executive Engineer (R&B) (Retd.) **through** the I/c Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad.

The I/c Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad.

Copy to:

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Secretariat, Hyderabad. (9566/VC.H2/2006)

//Forwarded :: by order//

SECTION OFFICER